

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NORTH DAKOTA  
EASTERN DIVISION**

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**STATES OF WEST VIRGINIA,  
NORTH DAKOTA, GEORGIA, and  
IOWA, *et al.*,**

Plaintiffs,

v.

**U.S. ENVIRONMENTAL  
PROTECTION AGENCY, *et al.*,**

Defendants.

Case No. 3:23-cv-00032-PDW-ARS

Hon. Peter D. Welte

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**PLAINTIFF STATES' MOTION FOR PRELIMINARY INJUNCTION**

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Under Federal Rule of Civil Procedure 65 and D.N.D. Civ. L. R. 7.1(B), and for the reasons stated in the accompanying memorandum, the Plaintiff States move for a preliminary injunction order enjoining Defendants from enforcing the final rule entitled, “Revised Definition of ‘Waters of the United States,’” 88 Fed. Reg. 3004-3114 (January 18, 2023).

Dated: February 21, 2023

Respectfully submitted,

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**CERTIFICATE OF SERVICE**

I certify that on February 21, 2023, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system, which will send notification of this filing to the attorneys of record, and I will serve the foregoing via certified mail to the following:

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